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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/553,714	10/17/2005	Syougo Murosawa	890050.533USPC	5808

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EXAMINER	
MAYES, MELVIN C	

ART UNIT	PAPER NUMBER
1791	

MAIL DATE	DELIVERY MODE
03/18/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/553,714	MUROSAWA ET AL.	
	Examiner	Art Unit	
	Melvin C. Mayes	1791	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 October 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *17 October 2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *10/17/05*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

(1)

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

(2)

Claims 1-17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

"wherein the films are conveyed by a sheet conveying mechanism and α is a positive value defined as the maximum width within which one side of a sheet may meander when the sheet is conveyed by the sheet conveying mechanism and is a value inherent to the sheet conveying mechanism"

Double Patenting

(3)

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

(4)

Claims 1-17 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-17 of copending Application No. 10/553536. Although the conflicting claims are not identical, they are not patentably distinct from each other because

Copending Application No. 10/553536 claims a method for manufacturing a multi-layered unit for a multi-layered ceramic electronic component comprising:

a step of forming a ceramic green sheet on the surface of a first carrier film;

a step of forming a release layer on the surface of a second carrier film including a surface-treated region on which a surface treatment is performed for improving releasability and a non-surface-treated regions on which no surface treatment is performed on both sides of the surface-treated region and having a width substantially equal to that of the first carrier film;

a step of forming an electrode layer in a predetermined pattern and a spacer layer in a complementary pattern to that of the electrode layer on the surface of the release layer, thereby forming an inner electrode layer;

a step of forming an adhesive layer on the surface of a third carrier film having a width substantially equal to that of the second carrier film;

a step of bringing the surface of the adhesive layer formed on the third carrier film and the surface of the inner electrode layer into close contact with each other and pressing them, thereby bonding the adhesive layer onto the surface of the inner electrode layer;

a step of peeling off the third carrier film from the adhesive layer;

a step of pressing and bonding the ceramic green sheet formed on the surface of the first carrier film and the inner electrode layer formed on the surface of the second carrier film onto each other via the adhesive layer; and

a step of peeling off the first carrier film from the ceramic green sheet, thereby fabricating a multi-layered unit including the ceramic green sheet and the inner electrode layer laminated onto each other,

wherein the adhesive layer is formed by coating the surface of the third carrier film with an adhesive agent solution so that the width of the adhesive layer is narrower than the width of the third carrier film by at least 2α, wherein the films are conveyed by a sheet conveying mechanism and α is a positive value defined as the maximum width within which one side of a sheet may meander when the sheet is conveyed by the sheet conveying mechanism and is a value inherent to the sheet conveying mechanism, and the width of the adhesive layer is wider than the width of the ceramic green sheet formed on the surface of the first carrier film and the widths of the release layer and the inner electrode layer formed on the surface of the second carrier film by at least 2α and wider than the width of the surface-treated region of the second carrier film by at least 2α.

Bringing the surface of the adhesive layer formed on the third carrier film into close contact with and bonding to the surface of the ceramic green sheet instead of the inner electrode

layer would have been obvious to one of ordinary skill in the art as an alternative for providing the adhesive layer for bonding the ceramic green sheet and inner electrode layer. Bonding the adhesive layer to either of the ceramic green sheet or the inner electrode then bonding the other of the ceramic green sheet or the inner electrode to the bonded adhesive layer would have been obvious to one of ordinary skill in the art as alternative methods for providing the adhesive layer for bonding the ceramic green sheet and inner electrode together.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Allowable Subject Matter

(5)

The following claim, drafted by the examiner to overcome 35 U.S.C. 112, second paragraph rejection and considered to distinguish patentably over the art of record in this application, is presented to applicant for consideration and would be allowable if a terminal disclaimer is also filed to overcome the nonstatutory double patenting rejection:

1. A method for manufacturing a multi-layered unit for a multi-layered ceramic electronic component comprising:

a step of forming a ceramic green sheet on the surface of a first carrier film including a surface-treated region on which a surface treatment is performed for improving releasability and a non-surface-treated regions on which no surface treatment is performed on both sides of the surface-treated region;

a step of forming a release layer on the surface of a second carrier film having a width substantially equal to that of the first carrier film;

a step of forming an electrode layer in a predetermined pattern and a spacer layer in a complementary pattern to that of the electrode layer on the surface of the release layer, thereby forming an inner electrode layer;

a step of forming an adhesive layer on the surface of a third carrier film having a width substantially equal to that of the first carrier film;

a step of bringing the surface of the adhesive layer formed on the third carrier film and the surface of the ceramic green sheet into close contact with each other and pressing them, thereby bonding the adhesive layer onto the surface of the ceramic green sheet;

a step of peeling off the third carrier film from the adhesive layer;

a step of pressing and bonding the inner electrode layer formed on the surface of the second carrier film and the ceramic green sheet formed on the surface of the first carrier film onto each other via the adhesive layer; and

a step of peeling off the second carrier film from the inner electrode layer, thereby fabricating a multi-layered unit including the ceramic green sheet and the inner electrode layer laminated onto each other,

wherein the adhesive layer is formed by coating the surface of the third carrier film with an adhesive agent solution so that the width of the adhesive layer is:

narrower than the width of the third carrier film by at least 2α, wherein the third carrier film is conveyed by a sheet conveying mechanism and α is a positive value defined as the maximum width within which one side of a sheet may meander when the

sheet is conveyed by the sheet conveying mechanism and is a value inherent to the sheet conveying mechanism;

wider than the width of the ceramic green sheet formed on the surface of the first carrier film and the widths of the release layer and the inner electrode layer formed on the surface of the second carrier film by at least 2α; and

wider than the width of the surface-treated region of the second carrier film by at least 2α.

Conclusion

(6)

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melvin C. Mayes whose telephone number is 571-272-1234. The examiner can normally be reached on Mon-Fri 7:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Phillip C. Tucker can be reached on 571-272-1095. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Melvin C. Mayes
Primary Examiner
Art Unit 1791

MCM
March 12, 2008

/Melvin C. Mayes/
Primary Examiner, Art Unit 1791